

Apr 11, 2018

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

JASON CHARLES YOKER, (01),

Defendant.

No. 2:14-CR-00152-SMJ-1

**ORDER DENYING DEFENDANT'S
MOTION FOR
RECONSIDERATION**

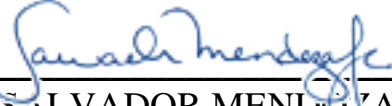
Before the Court, without oral argument, is Defendant Jason Charles Youker's Motion for Reconsideration, ECF No. 672. Youker asks the Court to reconsider its January 30, 2018 order denying his motion pursuant to Federal Rule of Criminal Procedure 52(b). The Court properly denied Youker's motion for lack of jurisdiction because at the time of the order, Youker's appeal of his conviction remained pending. Youker's motion is therefore denied. Even if the Court had jurisdiction to consider the motion, Rule 52(b) provides no direct basis for relief from judgment. Moreover, the Court finds that Youker's only remaining avenues for seeking post-conviction relief are a properly filed motion pursuant to Rule 33(b)(1) or 28 U.S.C. § 2255. Any other motions will be summarily denied.

Accordingly, **IT IS HEREBY ORDERED:**

1 1. Defendant's Motion for Reconsideration, **ECF No. 672**, is **DENIED**.

2 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order and
3 provide copies to Defendant and all counsel.

4 **DATED** this 11th day of April 2018.

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7 SALVADOR MENDOZA, JR.
8 United States District Judge
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